

REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

I. Telephone Interview

Initially, the Applicants would like to thank Examiner Khan for granting and conducting a telephone interview on November 22, 2010 in order to discuss the amendment filed on September 28, 2010.

During the interview the Applicants' representative described the purpose of the invention and carefully explained each limitation of independent claim 1. As a result, the importance of determining the first return position and the second return position based on whether or not all of the stream media content has been reproduced, as required by claim 1, was made clear to the Examiner.

Next, during the interview the Applicants' representative explained that the Terada reference merely teaches fast-forwarding and fast-rewinding streamed media, which is completely different from the structure required by claim 1.

As a result, the Examiner kindly agreed that the structure required by claim 1 is not disclosed or suggested by Terada. Further, the Examiner indicated that he would have to update his search before he could make a determination on patentability.

Additionally, during the interview the Examiner suggested that the Applicants amend the last paragraph of claim 1, as well as the other independent claims, to clarify what portion of the multimedia content is displayed, so as to more closely tie the determination of the first and second return positions with the displaying of the multimedia content.

II. Amendments to the Claims

In view of the above and by this Supplemental Amendment, independent claim 1 has been amended to clarify that “the display unit (i) displays the determined first return position of the multimedia content when the return position determining unit determines that all of the stream media content has been reproduced, and (ii) displays the determined second return position of the multimedia content when the return position determining unit determines that all of the stream media content has not been reproduced.” Independent claims 19 and 21 have been amended in a similar manner.

The Examiner kindly agreed to accept the above-described supplemental amendments, as long as a Supplemental Amendment is filed around December 10, 2010. In view of the above, the Applicants respectfully request entry of the above-described supplemental amendments.

III. 35 U.S.C. § 102 Rejection

Claims 1-9, 11-15, 17, 19-22 and 24 were rejected under 35 U.S.C. § 102(e) as being anticipated by Terada et al. (U.S. 7,113,983). This rejection is believed clearly inapplicable to independent claims 1, 19 and 21 and the claims that depend therefrom for the following reasons.

Independent claim 1 recites that a reproduction device includes a return position determining unit operable to determine, based on reproduction state change information, whether or not all of the stream media content has been reproduced by a reproducing unit. Further, claim 1 recites that, when the return position determining unit determines that all of the stream media content has been reproduced, the return position determining unit determines, as a first return

position, a return position indicating a portion of the multimedia content to be displayed when transitioning from reproducing the stream media content back to displaying the multimedia content when the reproduction of the stream media content has ended. Claim 1 recites that, when the return position determining unit determines that all of the stream media content has not been reproduced, the return position determining unit determines, as a second return position, a return position that is different from the first return position. Finally, claim 1 recites that a display unit (i) displays the determined first return position of the multimedia content when the return position determining unit determines that all of the stream media content has been reproduced, and (ii) displays the determined second return position of the multimedia content when the return position determining unit determines that all of the stream media content has not been reproduced. Terada fails to disclose or suggest the above-mentioned distinguishing limitations required by independent claim 1.

Rather, Terada merely teaches “[i]n the reproducing sequence or order defined by the program file, the client receives or acquires the contents from the program service site and reproduces the received contents. For example, when an instruction to fast-forward or fast-rewind a specific content of a currently-reproduced program is given, the client acquires another content that precedes or follows the specific content in the reproducing sequence defined by the program file, in response to the instruction. This way, the client can reproduce the program while fast-forwarding or fast-rewinding a selected content or contents” (see col. 3, lines 59-67; and col. 8, lines 20-32). Accordingly, Terada teaches that the program reproduction system is capable of fast-forwarding and fast-rewinding audio/video at any time so as to obtain a desired program that is distributed, even when the viewer is reproducing the program (see col. 1, lines 66 and 67; and col. 2, lines 1 and 2).

Thus, in view of the above and as agreed upon during the above-mentioned telephone interview, Terada teaches fast-forwarding and fast-rewinding the audio/video content while the viewer is reproducing the content, but fails to disclose or suggest determining, based on reproduction state change information, whether or not all of the stream media content has been reproduced by the reproducing unit, such that, when the return position determining unit determines that all of the stream media content has been reproduced, the return position determining unit determines, as a first return position, a return position indicating a portion of the multimedia content to be displayed when transitioning from reproducing the stream media content back to displaying the multimedia content when the reproduction of the stream media content has ended, and such that, when the return position determining unit determines that all of the stream media content has not been reproduced, the return position determining unit determines, as a second return position, a return position that is different from the first return position, as recited in claim 1.

In other words, even though Terada teaches streaming audio/video content that can be fast-forwarded and fast-rewound, Terada still fails to disclose or suggest that the reproduction state change information is taken into consideration and that whether all of the stream media content has been reproduced is taken into consideration, such that when all of the stream media content has been reproduced, a first return position is determined to be a return position indicating a portion of the multimedia content to be displayed when transitioning from reproducing the stream media content back to displaying the multimedia content when the reproduction of the stream media content has ended, and when all of the stream media content has not been reproduced, a second return position is determined to be a return position that is different from the first return position, as recited in claim 1.

Additionally, and as agreed upon during the above-mentioned telephone interview, Terada also fails to disclose or suggest that the display unit (i) displays the determined first return position of the multimedia content when the return position determining unit determines that all of the stream media content has been reproduced, and (ii) displays the determined second return position of the multimedia content when the return position determining unit determines that all of the stream media content has not been reproduced, as required by claim 1.

Therefore, because of the above-mentioned distinctions it is believed clear that independent claim 1 and claims 2-17, 24, 25 and 27 that depend therefrom are not anticipated by Terada.

Additionally, the Applicants note that a result of the structure required by claim 1 is that upon receiving an instruction for fast-forwarding or rewinding the content, the content reproduction device does not fast-forward or rewind the content, but can restrict the content that is to be obtained after the reproduction of the content that has been fast-forwarded or rewinded.

In light of the above, it is clear that Terada does not provide the above-mentioned result of the structure required by claim 1, because Terada fails to disclose or suggest that the reproduction state change information is taken into consideration and that whether all of the stream media content has been reproduced is taken into consideration, such that when all of the stream media content has been reproduced, a first return position is determined to be a return position indicating a portion of the multimedia content to be displayed when transitioning from reproducing the stream media content back to displaying the multimedia content when the reproduction of the stream media content has ended, and when all of the stream media content has not been reproduced, a second return position is determined to be a return position that is different from the first return position, as recited in claim 1.

Furthermore, there is no disclosure or suggestion in Terada or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Terada to obtain the invention of independent claim 1. Accordingly, it is respectfully submitted that independent claim 1 and claims 2-17, 24, 25 and 27 that depend therefrom are clearly allowable over the prior art of record.

Independent claims 19 and 21 are directed to a method and a program, respectively and each recite features that correspond to the above-mentioned distinguishing features of independent claim 1. Thus, for the same reasons discussed above, it is respectfully submitted that independent claims 19 and 21 and claims 20 and 22 that depend therefrom are allowable over the prior art of record.

IV. 35 U.S.C. § 103(a) Rejections

Claims 7, 10, 16, 25 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Terada, Official Notice, and Osawa et al. (U.S. 5,956,037). In view of the above, it is respectfully submitted that the Examiner's Official Notice and Osawa do not disclose or suggest the above-discussed features of independent claim 1 which are lacking from the Terada reference. Therefore, no obvious combination of Terada with the Examiner's Official Notice and Osawa would result in, or otherwise render obvious, the invention recited independent claim 1 and claims 2-17, 24, 25 and 27 that depend therefrom.

V. Conclusion

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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